IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.3956 OF 2005

Harishchandra Baburao Bhagat ...Applicant
vs.
The State of Maharashtra ...Respondent

Mr.Rajeev Sawant for the Applicant
Mr.R.Y.Mirza,A.P.P. for State

CORAM: A.S.OKA,J.
DATE : JULY 5,2005.

P.C.:

1. Heard learned Advocate appearing for the Applicant and the learned A.P.P. for state. F.I.R. has been registered against the Applicant and other accused for offence punishable under Sections 395,397,452,427,337 of the Indian Penal Code and Section 135 of the Bombay Police Act.

2. It is not in dispute that the charge sheet has been filed. It is also not in dispute that all the accused save and except the Applicant have been enlarged on bail either under the order of this Court or under the orders of the Sessions Court.

3. The learned A.P.P. on instructions of the concerned Officer fairly stated that considering the orders passed by this Court and the Sessions Court in favour of the co-accused, the Applicant is entitled to claim bail on the basis of parity.

4. Hence I pass the following order :

a) The Applicant is directed to be released on bail in connection with C.R.No.99 of 2004 registered with Igatpuri Police Station, District Nashik on executing personal bond in the sum of Rs.25,000/- (Rupees twenty five thousand only) with one or two local sureties in the like amount.

b) The Applicant shall report to the concerned investigating officer once in a fortnight on first Saturday of every English calendar month between 10 a.m. to 1 p.m. This condition is imposed to ensure that no further untoward incident takes place in the vicinity, as it is a matter of record that group rivalry has resulted in the commission of the alleged crime in the present case.

c) The applicant shall not influence the prosecution witnesses or tamper with the prosecution evidence in any manner whatsoever.

d) The applicant shall extend full co-operation for early disposal of the trial. If the trial court is of the opinion that he is responsible for delay in trial that fact be recorded in the Rozanama, which can be a ground for cancellation of bail.

JUDGE